

REMARKS

By this Amendment, claims 19 and 28 have been amended. Accordingly, claims 19-42 are pending in the present application.

Claims 27 and 36 stand rejected under 35 U.S.C. §112, second paragraph. Applicant respectfully traverses this rejection. The subject matter defined in claims 27 and 36 is shown in Fig. 16 and described from page 40, line 2, to page 43, line 8 of the present application. Therefore, claims 27 and 36 are in full compliance with all §112 requirements. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

Claims 19, 20, 24, 28, 29, 33, 37, and 40 stand rejected under 35 U.S.C. §102(b) as being anticipated by JP50-42838. Claims 21-23, 25, 26, 30-32, and 35 stand rejected under 35 U.S.C. §103(a) as being as being unpatentable over JP50-42838 in view of U.S. Patent No. 6,389,144 to Lee. Claims 38, 39, 41 and 42 stand rejected under 35 U.S.C. §103(a) as being as being unpatentable over JP50-42838 in view of JP60-167494. Applicant respectfully traverses these rejections.

Among the limitations of independent claim 19 which are neither disclosed nor suggested in the prior art of record, is a diffuser which includes a flow plate “having a wall tapered inwardly in the sound wave emission direction, and the wall of the flow plate being positioned outside of an area defined by the cone-shaped sound source.”

Similarly, among the limitations of independent claim 28 which are neither disclosed nor suggested in the prior art of record, is a diffuser which includes a flow plate “having a first opening proximal to the sound source and a second opening distal from the sound source, the first opening being larger than the second opening, and the first opening of the flow plate being positioned outside of an area defined by the cone-shaped sound source.”

The structure defined in independent claims 19 and 28 accelerates the air current in the central portion of the sound source and slows the air current away from the central portion. Since

the flow plate is also positioned outside of an area defined by the cone-shaped sound source, the air current passing through the flow plate is selected based on the movements of the diaphragm. This configuration helps in preventing the air current from swirling, which in turn, attenuates unnecessary air current so that accurate sound production can be achieved that is close to that of a spherical wave.

In contrast, JP50-42838 explicitly teaches placing a diffuser 21 *within* an area defined by a cone-shaped sound source. Therefore, JP50-42838 neither teaches nor suggests a diffuser that is positioned outside of an area defined by the cone-shaped sound source. Accordingly, it is respectfully submitted that independent claims 19 and 28 patentably distinguish over JP50-42838.

U.S. Patent No. 6,389,144 to Lee and/or JP60-167494, either alone or combined, do not remedy any of the deficiencies of JP50-42838. Neither of these references teach or suggest the diffuser defined in independent claims 19 and 28. Accordingly, it is respectfully submitted that independent claims 19 and 28 patentably distinguish over the art of record.

Claims 22-27 and 37-39 depend either directly or indirectly from independent claim 19 and include all of the limitations found therein. Claims 29-36 and 40-42 depend either directly or indirectly from independent claim 28 and include all of the limitations found therein. Each of these dependent claims includes additional limitations which, in combination with the limitations of the claims from which they depend, are neither disclosed nor suggested in the art of record. Accordingly, claims 22-27 and 29-42 are likewise patentable.

In particular, with respect to dependent claims 21, 27, 30 and 36, it is respectfully submitted that none of the references of record teach or suggest the use of a second (or outer) flow plate as defined in these claims. The speaker affixing rib 13 in Fig. 3 of the Lee reference has been cited as being an outer flow plate. This, however, is not an accurate classification of this structure. The speaker affixing rib 13 of Lee is not used for commutation of a sound wave, but rather simply for affixing a speaker to the body of a television. Accordingly, dependent claims 21, 27, 30 and 36,

are patentable for at least these reasons as well as those set forth above with respect to independent claims 19 and 28.

In view of the foregoing, favorable consideration of the amendments to claims 19 and 28, and allowance of the present application with claims 19-42 is respectfully and earnestly solicited.

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Respectfully submitted,

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